

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**R.K., et al.,**

**Plaintiffs,**

**v.**

**GOVERNOR BILL LEE, et al.,**

**Defendants.**

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**No. 3:21-cv-00853**

**Chief Judge Crenshaw**

**Magistrate Judge Frensley**

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**DECLARATION OF JOHN DUNN, DVM, Ph.D.  
IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS'  
MOTION FOR PRELIMINARY INJUNCTION**

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I, Dr. John Dunn, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over eighteen years of age and am competent to testify to the following based upon my own personal knowledge and experience, and upon my review of documents in the custody and control of the Tennessee Department of Health ("TDH").

2. I am currently employed as the State Epidemiologist and State Public Health Veterinarian in the Communicable and Environmental Diseases and Emergency Preparedness Division of TDH. I have served as State Epidemiologist since 2019. Prior to that, I served as Deputy State Epidemiologist from 2010 to 2019. I have served as State Public Health Veterinarian since 2007. From 2005 to 2007, I was employed by the Centers for Disease Control and Prevention as a Career Epidemiology Field Officer assigned to TDH.

3. In my current role, I am responsible for TDH surveillance, investigation, and outbreak response for reportable diseases.

4. TDH Rule 1200-14-01-.02 requires healthcare providers and other persons knowing of or suspecting a case, culture, or specimen of a reportable disease or event to report that occurrence to TDH in the time and manner specified by the TDH Commissioner.

5. Reportable diseases are specified infections or health events that TDH is responsible for monitoring and responding to. TDH maintains a list of reportable diseases on its website at <https://www.tn.gov/health/cedep/reportable-diseases.html>.

6. TDH classifies SARS-CoV-2 (“COVID-19”) as a reportable disease.

7. Healthcare providers and laboratories in Tennessee are required to report cases, test results, patient outcomes, and other pertinent information relating to COVID-19 to TDH public health staff immediately.

8. TDH public health staff investigate and classify reported data by county for investigation and enter these data into a surveillance database maintained by TDH,

9. TDH staff extracts relevant data from the TDH surveillance database and publishes it on the TDH website <https://www.tn.gov/health/cedep/ncov/data.html>.

10. At present, statewide and county-level COVID-19 data published on TDH website is updated daily Monday through Friday.

11. The document attached to this Declaration as Exhibit A to this declaration is a true and correct copy of the statewide Tennessee COVID-19 Epidemiology and Surveillance Data published on the TDH website on November 16, 2021. This data is available online at <https://www.tn.gov/health/cedep/ncov/data.html>.

12. The documents attached to this Declaration as Collective Exhibit B are true and correct copies of the county-level data (COVID-19 County Data Snapshots) for each Tennessee

county published on the TDH website on November 16, 2021. This county-level data is available online at <https://www.tn.gov/health/cedep/ncov/data/county-data-snapshot.html>.

13. The statewide and county-level COVID-19 data set forth in Exhibit A and Collective B to this Declaration represents the most accurate and reliable information available to TDH concerning COVID-19 in Tennessee as of November 16, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "John Dunn", is written over a horizontal line.

JOHN DUNN, DVM, Ph.D.

November 17, 2021